

## Comments from the Actual Public Meeting

February 19, 2014

Greg Wessel – lot of problems with Vashon town Plan. Critical area issues, number of things that need to be changed, whole process being done should be stopped. Take time to review and put it back on the community council. Did have a Town Plan Committee that was active up until February Of 2012. Submitted nine amendments to the Town Plan. Could easily do that again. Should reconvene to review the Town Plan; look at all issues, not just marijuana production, but also for other issues. Requests a one-year delay.

George Eustice – The County or Liquor Control Board have never done a decent job of controlling cigarettes, minors getting booze and drugs. It's a terrible thing that the law was ever passed and it is going to cause so many more problems with death and youth, with theft and on and on. If anything can be done it should be done.

Ellen de Steiguer – Dealt with library development and the re-zone of K2 the last time. County believes community have short memories. The ordinance passed last time for K2 site was one line amendment to long ordinance. Ordinance said no significant environmental impact from any rezone and now have documentation from Backbone campaign shows likely contamination of the site. Phase I and Phase II Environmental Assessments have been done but not completely. Appears, whether County was a party to it or not, that there was an environmental policy act the last time the ordinance was passed. If County intends to be a party to it a second time, advises to take the time and do a proper Phase II Environmental Assessment to determine what the contamination is at the site, particularly because the proposed business will be producing a product laced with THCV, by their own definition. Candy could be available to children on this island. Question is does the County want to be a party to another violation of the State Environmental Policy Act and enable a company to provide an edible product that is probably produced from a contaminated site.

Jennifer Leibow – Understanding of meeting is to look at the P-suffix code of community businesses in Industrial buildings on Vashon. Historically, Vashon had more stringent zoning. There has been more restricted land permitted use based on these codes. Executive branch at the County is currently looking at that as an anomaly, but it is a product of our own physical constraints. Vashon is King County, but is the only community in King County that has only two cops without any law enforcement re-enforcement. Accessible only by water. Has an aquifer all are dependent on and does not think that Vashon should just look at this as some technicality to go back to and say all just part of King County and are all the same. Not looking for favoritism as Councilman McDermott stated, but looking to not seeing five high-cash crops come onto this island with two cops that can't break up a fight at the local bar. Think it needs to be addressed in zoning regulation.

Kate Hunter – How many saw the photograph of the candy that was on the front page of the Beachcomber? And who was that candy focused on? Not adults. How about the children? Doesn't it look like kids' candy?

Jim Hauser - Retired teacher and with concern for kids. Glad to see de-criminalization. Sorry to see how available it is likely to be to kids. A volunteer with VARSA Vashon Alliance to Reduce Substance Abuse on the Island. For people who think is okay for kids, have a hand-out to take a look at. It's not. There is language in the initiative that specifically set as a goal; to keep kids away from it. Has not seen that yet with the big party that was in Seattle. Map with the circles – thought the language was where kids congregate not necessarily to schools. Hears that it is mainly the liquor board's concern so will pass it onto them that there is congregation at the Vashon Blue Heron where all the kids go for dance lessons. Lots of congregations at the in-door pool where lots of kids go for swimming lessons and about 80% of the school buses go through this intersection. So lots of congregation and does not think the laws are going to keep kids away from it so really hopes that all adults arrange to send the right messages to kids about this because opinions and the signals we send do make a difference.

Brad Schreib – Been on this island whole life and this is one of the first times ever even stood up in front of all these people. Thinks this is misconception that these drugs and marijuana are going to get out into the hands of all kids. Believes they are not going to get out. Already talked to people about how restrictions in the areas that these are going to be grown. Thinks people would be more worried about some of these other places that are outside of these fine walls and the people are getting permits for growing and producing on open space where they can be assessed. Believes this is one location that won't ever be assessed from what he understands, Is a stage four cancer survivor and if there was one way to get one piece of candy to one kid under stringent guidelines rather than some parent giving them marijuana so that they eat, if they can get a packaged that is down to the exact milligram approved that would allow them to possibly be able to get through their sickness or their eating, thinks this is something that shouldn't drag on and drag on and drag on. Be really proud if they could produce the product at the K2 plant that was helping children – whether it's a candy – whether it's a brownie – whether it's an elixir – does not care what the product is, but it's under stringent guidelines and well-protected. Believes that you ought to let this thing move forward fast as opposed to slow. Let these people decide if they can take this building and turn it into something. It's legal in Washington.

Lynn Sheperd – Huge building has sat rotting on Vashon Hwy for the past 10 years or so. Oh it used to be a place where people just to go and work. They used to have jobs. They used to be able to support their families in that building and it was great. Now a company wants to come in, a highly –regulated legal business in that building and there are people that don't want that to happen. Think we need to stop and think about the people who will be working there, who will be supporting their family there. Does not think there should be any more stigma attached to this product than there is to alcohol that is available up and down Vashon, in every restaurant, in every convenience store, in every bar. Need to talk to kids. Everybody needs to stop their kids from using alcohol and drugs. It's a problem here on Vashon Island, does not think this business will make it worse at all. Personally won't use Edi-Pure's product in any more than uses K2 skis. Just don't do either one of those things, but thinks there is a place for this business here on Vashon Island. Does Vashon need to know more? Yes, in an ideal world, wants to know more about business and have to be honest here in that the pause button in this particular case is a stop button. There is no pause button. There is a stop button because Edi-pure will go elsewhere. There are other communities like Vashon who have unemployed people or who have

people that have been marginalized, that want this business in their community and need to ask ourselves what kind of community we are if we are not addressing the need for employment here and to help the marginalized and unemployed people in this community.

Lesley Reed – Voted for the legalization of marijuana. Thinks it should be legal. It never occurred to Lesley that were talking about THC candy. Have lots of prescription legal drugs in this country. They don't come in candy forms. There are many ways to make drugs. Children can get drugs in all kinds of forms. They don't come in candy. They don't come in brownies. There have already been instances of kids in Colorado who have been poisoned by THC in candy and brownies. This isn't a County issue but thinks that Vashon needs to take a step back on this issue right here as a state and say why are we allowing this? If going to have it for medical purposes then it should be regulated and it should be distributed through pharmacies and not through candy form. So I think that we – I am a little confused because it sounds like that is not even an option here um I don't know cuz I got confused about what you said at the beginning. Opposed because does not think that part should be legal. Thinks it ultimately won't be legal because it absolutely makes no sense. Is for the legalization of marijuana. In terms of jobs I also like to say that this is a really confusing issue for a lot of people even for those of us that voted for the law. This is a big deal and it should not be happening fast. Should not be bringing in a giant plant like this into a small community without letting people really thinking about it and figuring it out and saying jobs, jobs, jobs. Doing okay here and if it was a tobacco plant, although thinks tobacco worse for people – just as many people would be questioning it. It's okay to question it.

Shangos Los – Founder of the Vashon Island Marijuana Entrepreneurs Alliance. Understands that the zoning for K2 was changed years ago for the advantage of a potential buyer. It would have been changed back when that deal fell through. Agrees that having K2 up and running again is beneficial to the community and encourages the necessary amendments for the Town Plan. Shared concerns about Vashon's water table. (Submitted handout)

Tom Conway – Lives about a block from K2 plant. Can't wrap his head around K2. Owners don't even live on the island. Went to the first meeting with Bill Moyers and the second one with Edi-Pure. Said the going rate for pot in Colorado is \$8500.00 a pound. Point is money changes thing. If one thinks \$8500.00 won't change the island, as naïve as he was thinking if he voted to legalize pot, people will smoke it and it will be de-criminalized and it would be fine.

Dan Anglin – with Edi-Pure. There are a lot of ideas, comments and concerns for K2. Listening and taking in all of the concerns. National Confectioners Association in regards to candy - the real issue is there are 68 types of edible products and they are not all gummies. Adults 21 years of age or older have the ability to choose to consume recreational marijuana once the LCB starts licensing these folks. A very large percentages of consumers want choices in marijuana delivery. Includes crackers, savory items and confectionary candy items. No sense to make a product that is marketed to an illegal consumer.

Scott Bergam – Worked hard and figured out a way to infused edible products. Not a big corporate type. Precision dose in each. Marijuana does wonders for research in medicine and the alleviation of

ailments. CBD is active ingredients in plants. THC is intoxicating effects. CBC has no intoxicating effect. Cannabinoids less than 2% in THC.

Wayne Miller - Trained in biochemistry. Should be commercialized question is commercialized here? Have a week to figure out what is going to happen. Cannot make a decision in week's time to decide the nature of the community. Approves of marijuana and voted to legalize it but not to commercialize on Vashon.

Mike Kirk – Concern what it symbolizes to kids. Already Vashon has reputation as hippies, saw that in Seattle Times that more kids are smoking and using marijuana. Some kids take their parents' prescription drugs. Double standard – pass the law but it is still a federal law.

Joe Yarkin - Warning the legislature and the community that there is a train wreck coming. This is about the environmental impact and the energy use of indoor marijuana growing. One pound of aluminum takes 7 kilowatt hours of energy and one pound of marijuana takes 9,000 kilowatt hours. The state has done an environmental assessment and the number one issue indoor growing is a large impact. King County zoning has more permits for producers than any other county in the state – 484. The incentives are all for indoor growing. Can grow up to 30,000 sq. ft. of indoor growing without a CUP. If outside in the sun using solar energy – no environmental energy impact you are only allowed 2,000 sq.ft. This could cost County up to a 160 megawatt power plant addition.

Lauri Meese – Does not believe that Edi-Pure has any interest in addicting the children of Vashon. But availability equals increased use.

Leslie Brown – Urges the County to allow the community what it does so well – educate, discuss, operate transparently, and turn to the County with own proposed amendments to the Town Plan.

Daniel Casperson – Access does increase use.

Susie Calhorn - Interested in the process that is being taken to amend Town Plan. Has petitioned to urge the County to take time. Wants a committee put together to do its own proposal by February 15, 2015.

Linda Schaefer – Wholeheartedly supports Edi-Pure. Legal and new business read the 43 pages of the WSLCB.

Amy Carey – Voted for legalization . Actually supports growing and producing but concern on how it will occur. Concern with spot zoning. The island worked hard on the Town Plan. If had a chance to talk about this earlier, might have come up with a proposal but, cannot ask a community to make a decision in a week. Support the Pause button.

Hillary Emmer – In favor of the rezone. 78% voted to legalize. Need jobs on this island. Need K2 and understand about protecting children. Everything being done is for 21 and over. Doesn't mean things are going to be more accessible.

Jenny Bell – Does not think the process should be sped up.

Eric Ross- Chief concern is health and well-being of the community. First priority is documented contamination at the K2 site. Deeply flawed Phased II assessment. Has a petition that more than 300 residents signed that says the County can change the Town Plan contingent upon the Jargen Co. receiving a “No Further Action” letter.

Merilee Runyan – Invited to review the Vashon Plan a long time ago. Quote from the Vashon Town Plan (page 28)...It refers to gradual growth and predictability. It provides a blueprint for change. Having a week to make a decision is not what is identified in the Plan. Vashon has little control over its destiny. Community Council works hard, but is unfunded and unsupported.

Kathy Flynn - K2 all kinds of people worked there. Can it be said K2 building part of the community? It sits empty no one wants to use it. Don't need K2 to meet – it's not part of the community. Feels the building could be used for agriculture purposes not marijuana.

Michael Berman – Direct recipient of marijuana products. Survivor of motorcycle accidents and lots of pain. Switched from pain killers to cannabis. Decide if vacant building may be used for something productive. Yes, agrees with more studies...

Nicholas Provo - One way or another making a decision in a week...either go through the process and wait a year and not have Edi-pure or go forward and have Edi-Pure. Not put process before people. Lots of work and the associated economic benefits. Supports going through the planning process for the Town Plan. Is not asking Distillery to shut down or the gas stations which are also in violation – so should not ask Edi-Pure not to operate.

Land that K2 sits on somehow being poison is a lie. This whole premise is that when we asked why you believe this happened. Phase I and II had tests. The only reason it is questioned because Jarden who owns the property, asked for full indemnification for anything discovered on the property. Recent potential buyer asked for new reports Phase I and Phase II and Jarden said ok but if drilling causes a leak or some type of plume to come onto property, wants indemnification. Specified site across the road from K2 has chemical spills and a plume from that site can end up on K2.

Scott – Edi-Pure. Asked Jarden to do any cleanup that may be identified. Not interested in buying property that could be contaminated. Any potential cleanup will be to the satisfaction of the community. Marijuana is grounded and its oils extracted and are produced in a very tight secured building. Packaged in opaque pill bottles with child resistant caps and put in cases and packed on trucks to distribute throughout the state. No retail distribution of products at the building. If someone has a dispensary they could purchase wholesale products from Edi-Pure and sell them. The picture on the front page of the newspaper is very different from what the state requirements are now and how products are packaged. One would never know that the product is going through town – no big bales of marijuana.

A person made a comment to Scott from Edi-Pure asking that he make available a public business plane of Edi-Pure.

Same person asked by what legal basis does the Department, or the Executive or the Council decide to put a pause on this or not?

Verner: Will take the comments received and comments made tonight and evaluate and staff will put together a proposal for the Executive to send on to Council. The Executive after considering the information received tonight may decide to not to forward it on. If the Executive does forward it on, the Council then is in the driver's seat. The Council after public hearing and after consideration in its committees, could decide to vote down the Ordinance.

Person: So it's legally ambiguous what role our comments have? It's a value judgment that the Department, the Executive and the Department have.

Verner: It is the Council that makes the decisions for the county. So the things that the Executive wants to propose get proposed and the Council has the decision to review them. You will have notice of a Public Hearing if the Council goes forward and there is a 30 day notice for that. If name is on the sign-up sheet we will send you a notice.

Person: Given the conflict in the zoning right now and in the Distillery and maybe even Minglement are out of compliance the way it is written, will the County go back and make all the other businesses consistent? Who decides what businesses can stay and what businesses don't?

Tim Johnson – President of the Community Council. Words of "K2 re-Zone" are scariest words he has ever heard. Wholehearted agrees with Hillary Emmer. Work with the same people that she sees and knows how hard it is to make it here on Vashon if don't have a really great job. In support of Edi-Pure because it will bring jobs. There is known contamination – State Dept. of Ecology. Another person saw like anti-freeze on the K2 site.

John Candy – Speaking to environmental concerns. Mid 80s no regulations for handling of toxic materials. At Landfill, K2 dumped number of empty barrels with residue clearly illegal at that time. Methoisocyanate (sp?) very toxic – used in gluing and primarily used in pesticides. Implicated in the death of 5 to 8k people in India. Does not know if persistent in ground, or ever stored at K2 site. Not the only chemical that was highly toxic. But the prudent thing is now opportunity to check and see what chemicals there are and toxic levels and what kind of damaged they can do.

Person: Sounds like King County is going to make a summary of this meeting and send to Dow Constantine who will then make a decision about what he wants to do – is that accurate?

Verner: Yes

Person: Will report be made public so community can see it and respond to it and ensure that anything anybody here feels County did not cover as well as they would have liked to see covered, can actually be presented to Dow Constantine.

Verner: Several people are taking minutes. Will have an accomplishment of those minutes and that will be a public document.

Person: Is it going to be public before Executive gets to make decision or after? Community would like to have it before so have opportunity to add to it – want to be able to have say and Executive not filtered with information...staff filter information for them, sometimes voluntary, sometimes not, but it happens. Would just like to make sure that all is consistent with all of what is heard tonight not just a piece of it...is that possible? Can summary document be available before he makes his decision?

Verner: DPER will pull together what is heard tonight and will be available on the web site.

Person: When can expect it to be there?

Verner: By the 28th; also the maps a link to Town Plan. WSLCB web, Ecology web site.

LSmith: Ecology has jurisdiction over status of K2 site. County does not have a role. Interested in what is happening on the site. Executive is interested in what is happening on the site. Talked about this yesterday. He was concerned when he heard there was contamination on the site. Ecology issued a letter to Jarden and Jarden may be making announcement about that tomorrow. Jarden will be responding back to Ecology with a letter of their plan of what they are going to do. It will be really important for all to hear.

Verner: email and written comments accepted through the 26<sup>th</sup> and can mail them or email to [cathy.Ortiz@kingcounty.gov](mailto:cathy.Ortiz@kingcounty.gov) who is compiling list.

Person: Many people tonight said need jobs on Vashon Island. Lived on Vashon Island for 50 years. Have not made one dime on Vashon. Vashon is not an isolated place. People can commute to Seattle to Tacoma or wherever, to work. If you want to make a good living and live on Vashon, they can both be done.

LSmith: Been awhile since talked about Town Plan and it sounds like community wants to talk about it. There has also been some new information. Did not know about Distillery...apparently there is an issue there... there has been a couple of other issues raised tonight.

Fairly recently had a community process in other rural town, Fall City, where worked with the community in a similar way – updated Town Plan and subsequently got adopted by the Council. So now that there is pretty strong interest, and some real issues to be addressed, thinks is something to take back and think about. Do not currently have a Comprehensive Plan Manager, many know Paul Reitenbach who worked for the County many many years; recently retired and not hired a replacement yet. Will be doing that soon and then can start conversation about Vashon Town Plan.

Person: Confused about Party of Record form. Any different than sign-up sheet?

Verner: No, both will get names on list.

Keith \_\_\_\_: Admits has some vested interest in K2; he designed it and has been working on it since 1958. Living on the island since 1938. Lot of talk about the Town Plan and one thing to point out on map is

Town Plan was for the most part, the Central Business District. And when the plan was well advanced, the Committee decided to extend it down and pick up this intersection. And if reading the document, it says right in it that cannot say that the part written for CBD reappplies to lower section....didn't take time to figure that out. Plan emphasizes it was supposed to keep things sort of like before and K2 was a huge employment that has since disappeared. There were mechanisms in Town Plan to encourage industry which of course, has not panned out. The level of impact the new proposal would have on the environment and the community is drastically less than the impact that K2 had at the time and was highly endorsed. Amazed put an acre and a half on that building and had a public hearing. Who from Vashon came? Two people – myself and Bill Kirschner. Very clear that the County has the authority to override the plan no matter what is said here. Thinks the County is very aware that Vashon is most outspoken community that they have to deal with. Encouraged islanders to make remarks to let County know because County is expecting them.

Keith: When community looks at the children with their consumption of pot, where do they get their pot? It would appear that Vashon is bountiful supplied with easy ways to get it whether this thing is built or not and if one reads the Code, this thing is grown in a vault. Nobody is allowed in without being fingerprinted (state law) on the way in and fingerprinted and searched on the way out; every room has a security camera and it's tied in with the state. The state at any time can click on and look in the room at the employee. It is more comfortable for the community to have it inside the vault that out alongside in the street.

Person: What is the enforcement of the existing businesses and can the County say who can operate and who can't if they are both equally illegal?

LSmith: That is a code enforcement (CE) issue and some are active code enforcement cases and would be held up against the Town Plan and the Comprehensive Plan as it currently exists today. A Distillery is either allowed in the Town Plan today or not and the CE case would have to run its course based on that.

Verner: The Distillery in particular is not allowed, so there is a CE action. That's not to say should not have a discussion about the Town Plan and what the community wants. If that goes ahead and something adopted because of that, perhaps then the Distillery would be a legal use.

Person: Let's say you find ten businesses in that area that are all non-conforming, would you equally go after them as would the Distillery?

Verner: If we find out about them, yes.

Person: So by putting a pause on this discussion about Edi-Pure that would mean we are not only threatening the development of the future jobs, but we might be actually putting companies that exist now, out of business.

Verner: CE actions are going forward.

Person: Is it true by pausing, the Distillery is threatened? The gas station too?



LSmith: If pausing means that the Executive and the Council cannot consider changes that will allow it, allow the Distillery or other uses that are currently nonconforming, then yes.

Person: The rumor is that the Distillery is being shut down by CE is that true? And is that applied equally to other businesses that are out of conformance?

Verner: I don't know officially that there are other businesses that are non-compliant, the only CE I know about is the Distillery.

LSmith: If the County gets a complaint, it is investigated; County does not drive around looking for ....this is complaint driven.

Person: Can you tell us about the Distillery that makes it nonconforming?

Verner: It is not listed as an approve use in the Town Plan.

LSmith: the Town Plan in the very last pages, lists the type of businesses that can be in the community business and in the industrial zone. If the business is not on that list, then it is not allowed in that zone. Distillery is one type of business and marijuana uses as well.

Person: Can a pause be placed on all CE cases?

LSmith: Will take that question back to the County.

Greg Wessel: The current proposal discussing tonight is to amend the Town Plan to allow the marijuana uses.

Lauren Smith: Yes.

Greg Wessel: It doesn't say anything about distilleries or gas stations or Minglement or any of the rest. Send marijuana question back to the Town Planning committee, really not addressing its other issues. The Distillery people are sadly in the straights of having CE case for this issue, but pausing will not really affect that because the proposal for the Exec's office doesn't say anything about this building does it?

Verner: No.

Person: It should.

Greg: There should be a change that addresses that. Proposes to look at the whole Town Plan and amending it to make it right for the community.

LSmith: Agreed to take feedback back to County.

Person: By putting pause on this particular discussion does that put a pause on...how does that affect the people who are already employed??

Person: If we pause so can debate Town Plan and Edi-Pure goes away and the jobs go away then the pause in this same process is for the Distillery – is that correct?

Verner: No. The CE issue is going to keep going its merry way.

Person: If these other businesses are not listed in the Town Plan – coffee roasterie; a gas station, that those businesses could also be subject to CE procedures if somebody should file a complaint...is that correct?

LSmith: Does not know if those businesses are not on the list.

Verner: Not memorized list but if not on list, then yes if somebody complains and sends some notice to the County that an illegal business is operating. Code Enforcement will investigate.

Person: So businesses under a CE procedure, if they are not on list, could conceivably be shut down and all those businesses be out of business is that correct?

LSmith: Yes.

Greg Wessel: Not talking for the Department. I think it's safe to say that if the community was engaged in doing something about the Town Plan, the County is probably not going to do anything about these other violations until that's resolved. Would that be a safe thing to say?

Verner: I don't think that is appropriate for us to comment.

LSmith: We talking about hypothetical situations here...

Greg: Exactly hypothetical speaking from my own self....

LSmith: It's putting us in a little bit of an awkward position...I think the overriding concern that I'm hearing is, "Hey we have all these uses in our town, uses that we need that may or may not be allowed in the Town Plan therefore we really need to talk about the Town Plan and figure out what should be on the list". And I hear you on that. We will take that back and it's a really really important message to us that it's time to have that conversation.

Person: how many jobs are we talking about?

LSmith: I don't want to speak for the Edi-Pure people.

Edi-Pure: Phase One is right around 40 people.

Leslie Brown: One of the Distillery owners is here and I asked her if she got a permit from KC and she said yes...so how did that happen? How can the County turn around now and say they can't operate? How is that possible?

LSmith: Good question don't have answer will find out.

Person: With all of this I guess you have to wait for a complaint...

LSmith: We went through this in Fall City. There was something that happened similar where there was a lot of CE cases and we managed to work that out with the community where the County wasn't shutting down businesses so I think we can do the same thing here.

Person: Water availability has been an issue is there an idea of consumption?

Person: Water catchment on the roof – there is 3.2 million gallons of water that can collect off the roof on an average rainfall ...there is a tank underground that will hold 310 thousand gallons. If you really care about water, you would have complained about the BES fields that are using a million gallons of water in four months.

Person: How long did the process take with Fall City?"

LSmith: Probably a year.

Person: The other licenses, I guess there's five or six of them – how many jobs are they producing here on the island?

LSmith: I don't think we know the answer to that – depends on size of the operation.

Person: My comment is if they are going to be on the island – why not let Edi-Pure give jobs to forty people.